

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Petition for Waiver of)	
FCC Form 471 Filing Deadline)	
)	
Santa Clara County Office of Education)	CC Docket No. 02-6
(BEN 144333))	
)	
Schools and Libraries Universal Service)	
Support Mechanism)	

**Petition for Waiver of
FCC Form 471 Filing Deadline for Funding Year 2016
RE: FCC Form 471's 161057775 and 161054857**

I. INTRODUCTION AND SUMMARY

The Santa Clara County Office of Education (SCCOE) serves low income pre-kindergarten through Grade 12 children spanning two counties in Northern California. Since 1998, The Santa Clara County Office of Education has been a successful participant in the E-Rate program. The Santa Clara County Office of Education submitted and certified their Funding Year 2016 FCC Forms 471, 161057775 and 161054857, in the SCCOE E-Rate Productivity Center (EPC) portal of the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company's ("USAC") website, on May 27, 2016, just half a day after the FCC Form 471 filing deadline of May 26, 2016. We actually started filing our Form 471's on May 23rd but could not complete the Form(s) because of issues on the EPC portal that did not get fixed until the morning of May 27th by CSB staff.

The Santa Clara County Office of Education (SCCOE) respectfully petitions for a waiver to allow the Out of Window submission of their E-Rate Funding Year 2016 FCC Forms 471 161057775 and 161054857. It was determined after internal review that several factors caused our late submission. This was the first use by the SCCOE (BEN 144333), of the new USAC EPC portal, which when setup by USAC had erroneously included over 200 district schools as SCCOE child entities. Correcting this error required several days of work with the Client Service Bureau (CSB) that did not get fixed until May 27th.

Rather than being able to remove the erroneous child entities from the existing Form 471s, the CSB (Case # 92188) informed us that new Form 471s had to be created. Additional issues arose during this process that were beyond the control of the SCCOE. These issues included error messages encountered in the process of certifying new Form 471s as well as needing to add eight missing child entities which had not been assigned to BEN 14333 by USAC. These issues were ultimately cleared up on May 27th after several cases were opened with CSB. The delay caused by these unforeseen challenges resulted in our late filing.

The SCCOE believes that approval of this waiver request will greatly benefit the interest of the public and students of Santa Clara County. Losing this funding would have a huge financial impact.

II. Request

The Santa Clara County Office of Education respectfully petitions the Commission to request a waiver of the Funding Year 2016 FCC Form 471 filing deadline on behalf of the Santa Clara County Office of Education to allow the Out of Window submission of their E-Rate Funding Year 2016 FCC Forms 471 161057775 and 161054857, due to issues with use of the new EPC portal and errors in the migration of entity information.

The Commission may waive any provisions of its rules on its own motion and for good cause shown. A rule may be waived where the particular facts make the strict compliance inconsistent with the public interest. In addition, the Commission make take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. In sum, waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest that strict adherence to the general rule. Since the CSB was not able to correct the errors until the morning of May 27th and this was out of the control of SCCOE, we believe cause exists to waive the requirement to file on May 26th.

Respectfully submitted,



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